

RECEIVED
CENTRAL FAX CENTER

FACSIMILE COVER SHEET

APR 17 2006

SALIWANCHIK, LLOYD & SALIWANCHIK
A Professional Association
P.O. Box 142950
Gainesville, FL 32614-2950

Telephone (352) 375-8100
Facsimile (352) 372-5800

TO: Examiner James Martinell FROM: Frank C. Eisenschenk, Ph.D.

COMPANY: U.S. Patent Office, Art Unit 1634 DATE: April 17, 2006

FAX NO.: 1-571-273-8300 NO. OF PAGES: 8
(INCLUDING COVER SHEET)

SUBJECT/MESSAGE:

Re: U.S. Patent Application Docket No. G-077US03DIV
EST's AND INCODED HUMAN PROTEINS
(Edwards, Jobert, Giordano)
Serial No. 10/664,025; filed September 15, 2003

Attachment: Election Under 35 U.S.C. § 121 and Preliminary Amendment (7 pages)

THIS IS AN OFFICIAL DOCUMENT.
PLEASE DELIVER IMMEDIATELY.

The information contained in this facsimile message is intended only for the personal and confidential use of the designated recipients named above. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message by mail. Thank you.

If you do not receive all pages or if any transmission is not legible, call the sender at (352) 375-8100.

JWEL/A077 US03.DIV/Fax Sheets/Examiner.doc/DNB/AI

APR-17-06 MON 01:04 PM SALIWANCHIK LLOYD

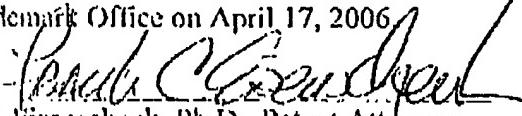
FAX NO. 3523725800

P. 02

RECEIVED
CENTRAL FAX CENTER

APR 17 2006

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on April 17, 2006


Frank C. Eischenchenk, Ph.D., Patent Attorney

ELECTION UNDER 35 U.S.C. § 121
AND PRELIMINARY AMENDMENT
Examining Group 1634
Patent Application
Docket No. G-077US031DIV
Serial No. 10/664,025

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : James Martinell
Art Unit : 1634
Applicants : Jean-Baptiste Dumas Milne Edwards, Severin Jobert, Jean-Yves Giordano
Serial No. : 10/664,025
Filed : September 15, 2003
Conf. No. : 2603
For : EST's and Encoded Human Proteins

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

ELECTION UNDER 35 U.S.C. § 121 AND
PRELIMINARY AMENDMENT

Sir:

In response to the written Restriction Requirement dated March 15, 2006 in the above-identified patent application, Applicants hereby elect to prosecute the invention of Group I (claims 1, 3-21, 23-31, and 41-46). Applicants further elect the nucleic acid of SEQ ID NO: 43, which encodes the polypeptide of SEQ ID NO: 3903.

Prior to examination, Applicants respectfully request that the subject application be amended as follows:

JAGEN077.US03 DIVAmend-ResPlSelection.doc/DNB/gyl